that this is so. Again, it almost invariably happens, especially in a large city like Chicago, that the conviction of a defendant in a criminal case is immediately, and before the argument of a motion for a new trial, followed by editorials in the leading newspapers lauding the jury and commending the verdict as just. This is all wrong and it should not be tolerated. The law should absolutely prohibit the publication of anything in relation to a criminal case from the time of its commencement by the filing of a complaint until its ending by the entry of the final judgment, excepting a verbatim, or otherwise substantially correct, report of the proceedings in court without expressions of opinion, by way of comment, headlines, or otherwise, and this provision of law should be enforced strictly."

The defects in our appellate procedure, says Mr. Gilbert, are very numerous and the system is in need of radical reformation. "Our appellate tribunals should no longer be permitted to discuss and write opinions about mere moot questions which really have nothing to do with the merits of a controversy, but they should be required by law to look to the right and justice of every case, ascertain the truth and apply the law to the truth, without regard to what may have happened in the lower court. In other words, our appellate tribunals should not be organized for the mere purpose of destroying and annuling judgments and decrees because of errors therein, but should be authorized, in all cases where it is practicable, to construct in their places proper judgments and decrees."

There is no provision in the synopsis of Mr. Gilbert's proposed code of procedure forbidding the Supreme or Appellate Court from reversing the judgments of the lower courts and granting new trials for misdirection of the jury, or the improper rejection or admission of evidence, or for errors of pleading or procedure, unless in the opinion of the court to which application is made, after an examination of the entire cause, it should appear that the error has resulted in a miscarriage of justice. A provision embodying substantially this principle has recently been introduced into the procedure of a number of states, it is a part of the plan of Federal procedural reform, and is also found in the Chicago Municipal Court Act which was drawn by Mr. Gilbert. We are unable to see any reason why the Supreme and Appellate courts should be permitted to reverse the decisions of the Circuit courts upon technical errors which do not affect the merits of the case and yet forbidden to reverse those of the Municipal Court for similar errors. We think any code of procedure which contains so many provisions of thorough-going reform as does Mr. Gilbert's bill ought by all means to prohibit reversals for technical errors which do not go to the merits of the issue. J. W. G.

The Success of the Chicago Municipal Court.—The third annual report of the Municipal Court of Chicago, covering the year ending December 6, 1909, is a record of a great court—and a demonstration of what can be accomplished by a court organized on business principles and administered according to rules of procedure that are in accord with common-sense and business methods. From a city in which crime went unpunished or was punished only after long delay Chicago has become a city in which crime is punished, with greater certainty and swiftness than any other city in the United States. During the past year a total of 126,861 civil and criminal cases were disposed of by the Municipal Court, leaving undisposed of 9,358 cases, which represents less than a month's work. Of the cases appealed only about one-tenth of one

per cent were reversed. Misdemeanors are usually tried on the day they are committed or the day following, while more serious crimes are tried within three weeks.

The success of the Chicago Municipal Court has attracted wide attention and inquiries regarding its organization and methods have come from many cities which are contemplating a reorganization of their municipal judiciaries. Courts organized on similar principles have recently been established in Buffalo and Milwaukee. The commission appointed by Governor Hughes to inquire into the jurisdiction and methods of the inferior courts of cities of the first class in New York State has recently recommended a somewhat similar court for the city of New York, and a bill for this purpose is now before the legislature.

The administrative work of the court is centralized in the chief justice and the judges are given a wide discretion in framing their own rules of practice and procedure. This is in accord with the recommendations of President Taft, the American Bar Association and of various practice commissions in the states. In pursuance of this power the court has recently revised and simplified its rules of procedure, abolishing technical common law pleadings and other outworn practices and substituting in lieu thereof simple straightforward statements of the facts upon which each side relies. Among other reforms which the court has recently recommended is the system suggested by Committee "A" of the American Institute of Criminal Law and Criminology, for recording the physical and moral status and the hereditary and environmental conditions of delinquents and particularly of persistent offenders. The court announces that it will urge upon the City Council of Chicago the institution of a bureau for carrying the system into effect.

In two respects the usefulness of the court has been seriously impaired. One of these arises from the rule which makes the grand jury practically a court of review in all cases bound over to the Criminal Court from the Municipal Court, often without having before it the evidence heard in the Municipal Court. During the past year the grand jury discharged more than one-third of the cases in which the Municipal judges had found probable cause.

The other interference with the functions of the court comes from the power of the mayor to release any person imprisoned for violation of a city ordinance, provided he reports such cases with the causes thereof to the City Council. The practice grew up of releasing offenders at the request of aldermen and presently the mayor fell into the habit of referring applications made direct to him for clemency to some alderman for a recommendation. A report was then made to the council that such and such an offender had been released at the request of Alderman So-and-so. During the first year of Mayor Busse's administration more than one-tenth of all offenders imprisoned were released at the request of aldermen, but since his attention was called to the fact that a release at the request of an alderman was not sufficient cause contemplated by the law there has been a marked reduction in the number of releases. The court complains that such a system, which practically gives an alderman or a subordinate in the mayor's office the power to undo the work of the courts, is intolerable to a self-respecting judiciary. It recommends the creation of a Board of Pardons to whom this power shall be entrusted and whose deliberations shall be open to the public. J. W. G.